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9 *Attorney for Creditor Michael A. Parentis*

10 UNITED STATES BANKRUPTCY COURT

11 DISTRICT OF NEVADA

12 In re:

13 ROBIN LINUS LEHNER; DONYA TINA  
14 LEHNER;

15 Debtor(s).

16 Case No. BK-22-14616-nmc  
17 Chapter 7

18 **EX PARTE APPLICATION FOR  
19 EXAMINATION OF FRANK C. MUGGIA  
20 PURSUANT TO BANKRUPTCY RULE  
21 2004**

22 Dr. Michael A. Parentis (“Creditor”), through his counsel of record, respectfully applies  
23 for an order pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure and Local Rule  
24 2004 directing Frank C. Muggia (“Mr. Muggia”) to appear for an examination more than 14 days  
from the date of filing this motion. The location of the Rule 2004 examination will be provided  
through the subsequent issuance of a subpoena and notice of Rule 2004 examination. Creditor  
further request that the order provide for the examination to be continued from day to day until  
complete.

25 Upon a motion by an interested party, “the court may order the examination of an entity.”  
26 See Fed. R. Bankr. P. 2004(a). The scope of such an examination may relate to a debtor’s acts,  
27 conduct, property, liability, financial condition, matters affecting administration or a debtor’s  
28 estate, or “the debtor’s right to a discharge”. See Fed. R. Bankr. P. 2004(b). In this instance, the

1 requested examination relates to matters within the permitted scope, including Debtor's acts,  
2 conduct and right to a discharge.

3 An order for an examination may be signed by the clerk "if the date set for the examination  
4 is more than fourteen (14) days from the date the motion is filed." *See LR 2004(b).* Since the  
5 examination date outlined above provides more than fourteen (14) days of notice, the Clerk may  
6 singe an order for the Rule 2004 examination of Mr. Muggia.

7 Based upon the forgoing, Creditor respectfully requests that the Court or the Clerk of the  
8 Court enter the *Order Granting Application for Examination of Frank C. Muggia Pursuant to*  
9 *Bankruptcy Rule 2004.* A proposed order is attached as **Exhibit 1.**

10 Thursday, April 13, 2023

KAEMPFER CROWELL

11 By: /s/ Louis M. Bubala  
12 Louis M. Bubala III, SBN 8974

13 *Attorney for Creditor Michael A. Parentis*

**CERTIFICATE OF SERVICE**

Pursuant to FRBP and FRCP 5(b), I certify that I am an employee of Kaempfer Crowell, that I am over the age of 18, and that I am not a party to the above-referenced case. I further certify that on Thursday, April 13, 2023 the following documents was filed and served as indicated below.

- EX PARTE APPLICATION FOR EXAMINATION OF FRANK C. MUGGIA  
PURSUANT TO BANKRUPTCY RULE 2004**

8 X **BY NOTICE OF ELECTRONIC FILING:** through Electronic Case Filing System of  
9 the United States District Court, District of Nevada, to the individuals and/or entities at their  
10 email addresses as set forth below:

11 RYAN A. ANDERSEN on behalf of Trustee ROBERT E. ATKINSON  
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21 BART K. LARSEN on behalf of Creditor ALIYA CAPITAL PARTNERS LLC, and Plaintiff  
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34 [Remainder of page intentionally left blank.]

1 I declare under penalty of perjury that the foregoing is true and correct.

2 DATED: Thursday, April 13, 2023

3 By: /s/ Neida Lopez-Avila

4 NAME: Neida Lopez-Avila

5 An Employee of KAEMPFER CROWELL

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